

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Docket No. 0002586USU/4122  
Customer No.: 27,623

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter that is claimed and for which a patent is sought on the invention entitled:

### **PROSTHETIC DEVICE FOR CARTLAGE REPAIR**

the specification of which

(check one)  is attached hereto.

XXX was filed on December 22, 2005 as Application Serial No. 10/561,878  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the examination of this application as defined in Title 37, Code of Federal Regulations, §1.56 and §1.63(e).

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a) – (d) or (f) or Section 365(b) of any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or Section 365(a) of any PCT International Application which designated at least one country other than the United States listed below and have also identified below, by checking the box, any foreign application(s) for patent or inventor's certificate(s) or PCT International application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>		
<u>03014191.5</u> (Number)	<u>Europe</u> (Country)	<u>24 June 2003</u> (Day/Mon/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>PCT/EP2004/006530</u> (Number)	<u>PCT</u> (Country)	<u>17 June 2004</u> (Day/Mon/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)
(Application Serial No.)	(Filing Date)	(Status - patent, pend., abandon.)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

NAMES	REGISTRATION NUMBERS
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF INVENTOR	LAST NAME <b>LUGINBUEHL</b>	FIRST NAME <b>RETO</b>	MIDDLE NAME
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Inventor's signature

  
**Rete LUGINBUEHL**

Date May 7<sup>th</sup>, 2006